

Fair Labor Defense LLC

188 Grand Street, Suite 225, New York, NY 10013

August 26, 2021

Hon. Edgardo Ramos
U.S. District Judge
United States Courthouse
40 Foley Square
New York, NY 10007

Re: Defendants' Letter Concerning Plaintiff's Rule 11 Motion in *Coker v. Goldberg & Associates P.C. et al.*, No. 21 Civ. 01803 (S.D.N.Y.)

Judge Ramos:

This firm represents the defendants, Goldberg & Associates P.C. and Julie Goldberg, in the above-captioned action.

I write to request that the Court summarily deny Plaintiff's Rule 11 motion (Dkt. #25). because Plaintiff's counsel willfully violated this Court's Order. On August 5, 2021, this Court issued an Order that stated: "Should Plaintiff intend to file a Rule 11 motion, Plaintiff is directed to submit a pre-motion letter in advance, in accordance with this Court's Individual Rules." Dkt. #23 (Order on Motion for Conference).

Plaintiff did not file a pre-motion letter as required and, thus, the motion should be denied. I request that the motion be denied promptly because Plaintiff's counsel may have filed the motion so as to get an extra "sur-reply" on the Defendants' pending motion to dismiss. Otherwise, it is completely baffling as to why any counsel appearing before this Court would violate an unambiguous order that states "Plaintiff is directed to submit a pre-motion letter in advance, in accordance with this Court's Individual Rules." Dkt. #23.

In the alternative, I request a conference with the Court to resolve this issue and set a date for Defendants' response.

Respectfully,

/s/ **David Kasell**

David Kasell
Fair Labor Defense LLC

Cc: all counsel of record
by CM/ECF